

# International Certification Services, Inc.

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*Corporate Headquarters in Rural North Dakota  
Operating the FVO Organic Certification Program*

*The FVO Program is accredited by IFOAM, Conseil des appellations agroalimentaires du Québec (CAAQ), and (USDA) ISO 65*

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May 12, 2006

Mark Bradley, Associate Deputy Administrator  
USDA-AMS-TMP-NOP  
Room 4008-South Building  
1400 Independence Avenue, SW  
Washington, DC 20250-0020

Comments on: Docket TM- 06-06-PR

Dear Mark,

International Certification Services is concerned that the language as proposed in 205.236 is not clear and will cause inconsistent implementation of the USDA standard for organic production. We also believe that with the changes to OFPA made by Congress this past fall to permit the use of synthetic ingredients in processed foods, changes to sections 205.600 and 205.605 are needed as well.

We offer the following suggested changes:

## **REGARDING DAIRY LIVESTOCK AND CONVERSION:**

“§ 205.236 Origin of livestock.

- (3) Dairy animals - replacement stock. Once an operation has been certified for organic dairy production, all dairy animals, including all young stock whether subsequently born on or brought onto the operation, shall be under organic management from the last third of gestation.”

ICS feels that the language needs to be clear, consistent and the intent be understood.

## **REGARDING THE CHANGE IN OFPA RELEVANT TO PROCESSED FOODS:**

§205.600(b) should be revised to be consistent with the NOP interpretation of the Congressional amendment, which we suggest should be as follows:

“(b) In addition to the criteria set forth in the Act, any synthetic substance used ~~as a processing aid or adjuvant in handling~~ will be evaluated against the following criteria:...”

ICS also requests that the NOP recognize the fact that to appear as an ingredient on the label declaration, that ingredient must be either organically produced or appear on the National List. In particular, the product of the reaction of two substances on the National

List must be petitioned, reviewed, recommended by the NOSB, and appear on the National List as well.

§205.605 also warrants a change, as follows:

“§205.605 Nonagricultural (nonorganic) substances allowed ~~as ingredients~~ in or on processed products labeled as “organic” or “made with organic (specified ingredients or food group(s)).”

The following nonagricultural substances may be used ~~as ingredients~~ in or on processed products labeled as “organic” or “made with organic (specified ingredients or food group(s))” only in accordance with any restrictions specified in this section...”

Finally, ICS also would like to stress the need for the USDA to remove the food contact substance policy and consistently apply the criteria in the Organic Foods Production Act and the NOP rule to all synthetic substances used in or on processed food labeled as organic.

Thank you for giving us this opportunity to comment on the proposed changes.

Respectfully Submitted,

Karri Stroh  
On behalf of  
International Certification Services Inc.